

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:13-CR-067-MMD-(WGC)
11 ALEX LAMAR MOTHERSHED,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on January 6, 2014, defendant ALEX LAMAR MOTHERSHED pled
15 guilty to Count One of a One-Count Criminal Indictment charging him with Possession of a Firearm
16 by a Convicted Felon in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF
17 No. 1; Change of Plea, ECF No. 22.

18 This Court finds defendant ALEX LAMAR MOTHERSHED agreed to the forfeiture of the
19 property set forth in the Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1;
20 Change of Plea, ECF No. 22.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
22 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal
23 Indictment and the offense to which defendant ALEX LAMAR MOTHERSHED pled guilty.

24 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
25 924(d)(1) and Title 28, United States Code, Section 2461(c):
26

- 1 1. Smith and Wesson M&P .40 caliber semi-automatic handgun bearing serial number
- 2 MCP7965; and
- 3 2. Any and all ammunition
- 4 (all of which constitutes “property”).

5 This Court finds the United States of America is now entitled to, and should, reduce the
6 aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
8 United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
10 ALEX LAMAR MOTHERSHED in the aforementioned property is forfeited and is vested in the
11 United States of America and shall be safely held by the United States of America until further order
12 of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
14 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
15 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
16 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
17 name and contact information for the government attorney to be served with the petition, pursuant to
18 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
20 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
21 the validity of the petitioner’s alleged interest in the property, which petition shall be signed by the
22 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
23 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner’s
24 right, title, or interest in the forfeited property and any additional facts supporting the petitioner’s
25 petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
3 Virginia Street, 3rd Floor, Reno, NV 89501.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
6 following address at the time of filing:

7 Greg Addington
8 Assistant United States Attorney
9 100 West Liberty Street, Suite 600
Reno, NV 89501

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
12 following publication of notice of seizure and intent to administratively forfeit the above-described
13 property.

14 DATED this 8th day of January, 2014.

15
16
17 

18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26